



FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF GENERAL COUNSEL

memorandum

TO: Director, Reference Information Center
Chief, Wireline Competition Bureau

FROM: *DMA* Daniel M. Armstrong
Associate General Counsel

SUBJECT: *Qwest Communications International Inc. v. FCC & USA*, Tenth Cir. No. 03-9617; *Vermont Public Service Board v. FCC & USA*, D.C. Cir. No. 04-1015; and *SBC Communications Inc. v. FCC & USA*, D.C. Cir. No. 04-1018. Filing of one Petition for Review in the United States Court of Appeals for the Tenth Circuit and two Petitions for Review in the United States Court of Appeals for the District of Columbia Circuit.

DATE: January 20, 2004

This is to advise you that, on December 29, 2003, Qwest Communications International Inc. ("Qwest") filed a Petition for Review in the U.S. Court of Appeals for the Tenth Circuit; and, on January 12, 2004 and January 14, 2004, respectively, the Vermont Public Service Board ("Vermont PSB") and SBC Communications Inc. ("SBC") filed Petitions for Review in the U.S. Court of Appeals for the District of Columbia Circuit, pursuant to 47 U.S.C. § 402(a), of the following order: *Federal-State Joint Board on Universal Service*, Order on Remand, Further Notice of Proposed Rulemaking, and Memorandum Opinion and Order, CC Docket No. 96-45, FCC 03-249 (rel. October 27, 2003).

Qwest, Vermont PSB and SBC challenge the above-referenced FCC's Universal Service Order on Remand, which modifies the Commission's high-cost universal service support mechanism for non-rural carriers and adopts measures to induce states to ensure reasonable comparability of rural and urban rates in areas served by such carriers.

The Tenth Circuit has docketed its case as No. 03-9617 (Qwest), and the D.C. Circuit has docketed its cases as Nos. 04-1015 (Vermont PSB) and 04-1018 (SBC). The attorney assigned to handle the litigation of these cases is Laurence N. Bourne.